

## DECLARATION FOR PATENT APPLICATION

Docket # 8333.CIP

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CLEAN PRODUCTION OF COKE.

(check one) ☒ is attached hereto  
\_\_\_\_\_ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_,  
\_\_\_\_\_ and was amended on \_\_\_\_\_  
\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed	
			Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. Filed)		
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(s) which occurred between the filing date of this prior application and the national or PCT international filing date of this application.

09/954,603 (Application Serial No.)	September 17, 2001 (Filing Date)	Pending (Patented, Pending, Abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented, Pending, Abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Mr. Lynn G. Foster, Registration No. 21,189.

Address all phone calls to Lynn G. Foster (801) 364-5633.

Address all correspondence to:

Lynn G. Foster  
LYNN G. FOSTER L.C.  
602 East 300 South  
Salt Lake City, Utah 84102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole  
or first inventor

Craig N. Eatough

Inventor's signature

Craig N. Eatough

Date 9-16-03

Residence

Provo, Utah

Citizenship: USA

Post Office Address: 1711 North 1350 West  
Provo, UT 84604

Full name of sole  
or first inventor

Jon S. Heaton

Inventor's signature

Jon S. Heaton

Date 9/16/03

Residence

Provo, Utah

Citizenship: USA

Post Office Address: 1608 North 1450 West  
Provo, UT 84604

Full name of sole  
or first inventor

Steven R. Eatough

Inventor's signature

Steven R. Eatough

Date 9-16-03

Residence

Provo, Utah

Citizenship: USA

Post Office Address: 2398 North 850 West  
Provo, UT 84604

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket Number (Optional)  
8333.CIP

Applicant or Patentee: Craig N. Eatough, et al.

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: **CLEAN PRODUCTION OF COKE**

As below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed or licenses and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization exists.  
☒ Each such person, concern or organization is listed below.

Combustion Resources, L.L.C.  
1453 West 820 North  
Provo, UT 84601

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Craig N. Eatough  
NAME OF INVENTOR

Craig N. Eatough  
Signature of inventor

9-16-03  
Date

Jon S. Heaton  
NAME OF INVENTOR

Jon S. Heaton  
Signature of inventor

9/16/03  
Date

Steven R. Eatough  
NAME OF INVENTOR

Steven R. Eatough  
Signature of inventor

9-17-03  
Date

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)  
8333.CIP

Applicant or Patentee: Craig N. Eatough, et al.  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
Title: **CLEAN PRODUCTION OF COKE**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Combustion Resources, L.L.C.  
ADDRESS OF SMALL BUSINESS CONCERN: 1453 West 820 North  
Provo, UT 84601

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Craig N. Eatough  
TITLE OF PERSON IF OTHER THAN OWNER: Manager  
ADDRESS OF PERSON SIGNING: 1711 North 1350 West  
Provo, UT 84604

SIGNATURE

*Craig N. Eatough*

DATE

9-16-03